

REMARKS

The office action and the references cited therein have been carefully considered together with the present application and amendments have been made to all of the independent claims 1, 13, 19, 21 and 22 to more accurately define the present invention and to emphasize pre-existing differences between the invention as claimed and the prior art that has been cited and applied.

The examiner has rejected claims 1-3 and 7 under 35 U.S.C. 102(b) as being anticipated by Greene with the comment that the lower end of Greene is adjustable rotationally. The examiner has also rejected claims 1-3, 5-8, 10, 13-14, 16-17 and 19-22 under 35 U.S.C. 102(b) as being anticipated by Phillips with the comment to note O-ring 214.

Neither Greene nor Phillips anticipate, teach or suggest any of the claims of this application. With regard to claim 1, it is directed to a scroll collar and reciprocating tool assembly that comprises, *inter alia*, a support structure on said housing adjacent said working end and a generally cylindrical scroll collar carried by said support structure and configured to rotate on said support structure around a scroll collar axis. With regard to Greene, it is directed to a tool operating attachment that can be installed on a drill press which attachment translates rotational movement to reciprocating movement. The attachment is intended to be firmly attached to the drill press. In column 3, it states that in the use of a device, it is only necessary to apply the housing 16 upon the quill 10, making certain that stud 14 fits firmly into the socket of member 30 and then to *tighten the clamping screw* 28. The clamping screw pulls the two lugs 26 together to tighten the generally cylindrical housing to the cylindrical quill 10.

While the examiner states that the lower end of Greene is adjustable rotationally, this is distortion of the teaching of Greene. The attachment of Greene is firmly attached to the drill press and does not rotate except possibly when it is being

attached or removed. During operation it certainly does not rotate in the sense that is clearly claimed in claim 1. Nor does Greene have a support structure upon which a scroll collar is carried, nor does it have a scroll collar which is configured to rotate on said support structure around a scroll collar axis. There is no structure that is comparable to either the support structure or the scroll collar as claimed in amended claim 1.

Phillips similarly fails to anticipate, teach or suggest the scroll collar and reciprocating tool assembly as claimed in amended claim 1. While Phillips has a scroll assembly 200 that permits the assembly to rotate around a rotational axis that is generally parallel to the reciprocating motion axis as described in column 6, lines 53-60 and shown in FIG. 4A and 4B, it is readily apparent that the entire assembly 200 is rotatable which includes the blade itself. This is patentably different from what is claimed in amended claim 1 which has a support structure on said housing adjacent said working end and a generally cylindrical scroll collar carried on said support structure and configured to rotate on said support structure around a scroll collar axis.

This clearly means that a blade that would be installed on the working end of the reciprocating tool would not rotate when the scroll collar rotates. It is clearly a different type of operation and claim 1, as amended, simply is not anticipated, taught or suggested by Phillips.

Similar language is now included in the other independent claims of this application. Amended claim 13 comprises, *inter alia*, a support structure positioned on the housing at the working end and configured to support a rotatable scroll collar and a scroll collar mounted on said support structure and configured to rotate on said support structure around a scroll collar axis. Neither Phillips nor Greene anticipate, teach or suggest this scroll collar assembly as claimed.


Claim 19 is directed to a reciprocating tool comprising, *inter alia*, a support structure secured to said gear housing configured to support a rotatable scroll collar and a generally cylindrical scroll collar mounted for rotation on said support structure. Neither Phillips nor Greene anticipate, teach or suggest this structure.

While not specifically described, claims 21 and 22 also define structure in a similar manner which is clearly not anticipated, taught or suggested by Phillips or Greene. With regard to the dependent claims, they necessarily include the independent claims from which they depend and in addition define other structure and/or functionality that are not found in the independent claims. For this reason, it is strongly believed that these claims are also in condition for immediate allowance.

For the foregoing reasons, reconsideration and allowance of all pending claims is respectfully requested.

Respectfully submitted,

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